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C O N F I D E N T I A L SECTION 01 OF 02 KATHMANDU 000070

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SUBJECT: NEPAL: CHAIRPERSONS SELECTED FOR CONSTITUENT ASSEMBLY COMMITTEES

REF: 08 KATHMANDU 1320

Classified By: Ambassador Nancy J. Powell. Reasons 1.4 (b/d).

Summary

¶1. (SBU) On January 13, Constituent Assembly (CA) Chairman Subash Nemwang swore in chairpersons from six parties for the 24 CA committees. Madhav Kumar Nepal, the former General Secretary of the Communist Party of Nepal - United Marxist Leninist (UML), was elected head of the Constitutional Committee, the principal drafting committee. Nepal, who became a nominated member of the CA on January 10, will oversee his committee and the 13 other constitutional committees. Nemwang also swore in the heads of the 10 committees which will conduct CA business in its capacity as Nepal's Parliament. On January 19, the Parliament went on recess, reportedly for a month and a half.

Parties Distribute Committee Chairmanships

¶2. (SBU) From January 11 - 13, the three largest parties in the Constituent Assembly (CA) negotiated a power-sharing deal for the 24 CA committees. The Communist Party of Nepal - Maoist (now United CPN-M or UCPN-M), the Communist Party of Nepal - United Marxist Leninist (UML), and the Nepali Congress (NC) divvied up the committees across six parties: seven committees for the Maoists, five each for the NC and UML, three for the Terai Madhesi People's Rights Forum (MPRF), two for the Terai Madhesi Democratic Party (TMDP), and one for the Rastriya Prajatantra Party (RPP). The parties agreed to appoint CA Chairman Subash Nemwang (UML) as head of the special security committee. The minor parties contested the chairmanships of three committees, including the Constitutional Committee, but they were unsuccessful. On January 13 -- four days after the twice-extended deadline (reftel) -- Nemwang swore in the other 23 committee heads. One-third of the new chairpersons are women.

The Return of a Familiar Face

¶3. (C) M.K. Nepal, former General Secretary of the UML, was elected to lead the Constitutional Committee, which will oversee the drafting process. The 10 thematic committees and three procedural committees will report to him. M.K. Nepal

was nominated to fill a UML vacancy in the CA on January 10, nine months after his defeat in both constituencies he contested in the April 2008 CA election. (Note: A previously nominated UML MP resigned to create the vacancy. End note.) At a lunch on January 14, the co-president of the small, center-right Rastriya Janashakti Party, former Finance Minister Prakash Lohani, informed the Ambassador that he welcomed the election of M.K. Nepal as the chair of the Constitutional Committee. Lohani said that M.K. Nepal was a committed democrat whom Members of Parliament knew and respected. Other CA Members have likewise commented to Emboffs that he was a good choice. On January 23, M.K. Nepal assured the public that the CA would meet its target date of May 28, 2010 for promulgation of the new constitution.

Committee Chairpersons

¶4. (U) The chairpersons of the 14 constitutional committees and 10 parliamentary committees in the CA are as follow:

Constitutional Committees

-- Constitutional Committee - Mr. Madhav Kumar Nepal (UML)
-- Committee for the Protection of the Rights of Minorities and Marginalized Communities - Mr. Lalbabu Pandit (UML)
-- Committee on Fundamental Rights and Directive Principles - Ms. Binda Pandey (UML)
-- Committee for Restructuring the State and Sharing of State Power - Mr. Lokendra Magar (UCPN-M)
-- Committee for Preserving National Interest - Mr. Amik

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Sherchan (UCPN-M)

-- Committee on Civic Relations - Ms. Mina Pandey (NC)
-- Committee for Determining the Structure of the Legislative Body - Mr. Ramesh Rijal (NC)
-- Committee for Determining the Basis of Cultural and Social Solidarity - Ms. Navodita Chaudhary (RPP)
-- Committee for Determining the Structure of Constitutional Bodies - Mr. Govinda Chaudhary (TMDP)
-- Committee on Judicial System - Mr. Prabhu Sha Teli (UCPN-M)
-- Committee on Natural Resources, Economic Rights and Sharing of Revenues - Ms. Amrita Thapa Magar (UCPN-M)
-- Committee on Capacity Building and Resource Management - Mr. Mrigendra Singh Yadav (MPRF)
-- Committee for Determining the Structure of Governance of the State - Mr. Sambhu Hazara Dusad (NC)
-- Committee for the Coordination and Collection of Public Opinion - Mr. Pramod Prasad Gupta (MPRF)

Parliamentary Committees

-- International Relations and Human Rights Committee - Mr. Padam Lal Bishwokarma (UCPN-M)
-- Natural Resources and Means Committee - Ms. Shanta Chaudhary (UML)
-- Public Accounts Committee - Mr. Ram Krishna Yadav (NC)
-- Public Hearing Special Committee - Mr. Kul Bahadur Gurung (NC)
-- Women, Children and Social Welfare Committee - Ms. Sandhya Devi (MPRF)
-- Finance and Labor Relation Committee - Ms. Sushila Kandangwa (UCPN-M)
-- State Affairs Committee - Mr. Ram Nath Dhakal (UML)
-- Development Committee - Mr. Jeetendra Prasad Sonal (TMDP)
-- Legislature Committee - Ms. Yashoda Subedi Gurung (UCPN-M)
-- Special Security Committee - Mr. Subash Chandra Nemwang (UML) (Ex-officio)

Parliament on Recess

¶5. (SBU) On January 19, the Parliament went on recess. CA spokesman Mukunda Sharma stated to Emboff on January 23 that he expected the Parliament to be out for a month and a half,

but the duration is not yet finalized. Concerns are already being raised by human rights groups that the Government of Nepal may take advantage of the recess to issue ordinances on the formation of a Disappearances Commission and a Truth and Reconciliation Commission, thereby avoiding parliamentary debate. (Note: Under Nepali law, the Parliament would have to approve any such ordinances within 60 days of the start of the new legislative session. End note.)

Comment

¶6. (C) It took the Constituent Assembly almost seven months to form committees and another month to agree on committee chairs. The CA will have to dramatically increase its efficiency if it expects to draft and promulgate a constitution before May 2010. The appointment of former (and perhaps future) UML chief M.K. Nepal as chairman of the crucial Constitution Committee brought an established politician back within the system. According to the Indian Political Counselor, Prime Minister Dahal may have also hoped in this way to partially neutralize one of the Maoists' sharpest critics. Minendra Rijal, a prominent NC MP, ventured to Emboffs on January 23 that most of the chairpersons, many of whom are new faces, would not have the clout within their own parties, let alone within the 601-member CA, to accomplish a great deal. He predicted that the usual cast of (male) party leaders would end up making most of the decisions.

POWELL